

JOURNAL OF THE SENATE

204

Tuesday, May 3, 1949

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Monday, May 2, 1949.

Senator Ray, President Pro Tempore, presiding.

The roll was called and the following Senators answered to their names:

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayer	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

—38.

A quorum present.

Prayer was offered by the Senate Chaplain, Reverend W. F. Dunkle.

The reading of the Journal was dispensed with.

The Senate daily Journal of Friday, April 29, 1949, was further corrected as follows:

Page 1, column 1, strike out lines 31 to 53, both inclusive and insert in lieu thereof the following:

S. B. No. 387—A bill to be entitled An Act relating to education: amending Section 231.22, Florida Statutes, 1941; also amending Sections 21, 27, 28, 31, and 45 of Chapter 23726, Laws of Florida, Acts of 1947 (Sections 231.36, 236.02, 236.03, 236.07, and 242.05, Florida Statutes, 1947, Supplement, respectively), being: "An Act relating to education: to amend Sections 228.15; 228.16; 228.19; 229.23; 230.04; 230.06; 230.08; 230.09; 230.10; 230.25; 230.30; 230.34; 230.44; 231.02; 231.10; 231.11; 231.14; 231.16; 231.17; 231.18; 231.36; 231.40; 231.42; 232.01; 232.38; 236.01; 236.02; 236.03; 236.04; as amended by Section 1 of Chapter 22,537, Laws of Florida, Acts of 1945; 236.05; 236.07; 236.08; 236.09; 236.13; 236.15; 236.18; 236.61; 236.62; 239.19; 239.20; 239.22; 239.24; 242.01 as amended by Section 1 of Chapter 22,780, Laws of Florida, Acts of 1945; 242.02; 242.05; as amended by Section 1 of Chapter 22,518, Laws of Florida, Acts of 1945, and to make the necessary appropriations therefor; 242.17; 242.41; 242.42; and 242.43; Florida Statutes of 1941 as amended: and Sections 4, 6, 7, and 8 of Chapter 22,944, Laws of Florida, Acts of 1945; and to repeal Sections 231.08; 231.19; 231.21; 235.22; 236.06; 236.10; 236.11; 236.12; 236.16; 236.60; 236.63; 236.64; 236.65; 236.66; 236.67; 240.12; 242.03; 242.15; 242.16; 242.18; and 242.44, Florida Statutes of 1941, as amended."

And as further corrected was approved.

The Senate daily Journal of Monday, May 2, 1949, was corrected and as corrected was approved.

REPORTS OF COMMITTEES

Senator Shivers, Chairman of the Committee on Public Roads and Highways, reported that the Committee had carefully considered the following Bills:

H. B. No. 372—A bill to be entitled An Act to declare, designate and establish a certain State road.

H. B. No. 381—A bill to be entitled An Act to designate and establish a certain State road in Wakulla County, Florida, and providing that said designated road be given an appropriate State number; repealing conflicting laws; fixing effective date of Act.

S. B. No. 305—A bill to be entitled An Act designating and establishing a State road in Dade County.

S. B. No. 326—A bill to be entitled An Act designating and establishing a certain Road in Highlands County.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Shivers, Chairman of the Committee on Public Roads and Highways, reported that the Committee had carefully considered the following Bills:

H. B. No. 326—A bill to be entitled An Act to declare, establish and designate a certain State road.

H. B. No. 327—A bill to be entitled An Act to declare, establish and designate a certain State road.

H. B. No. 328—A bill to be entitled An Act to declare, designate and establish a certain State road.

H. B. No. 335—A bill to be entitled An Act to declare, designate and establish certain roads in Liberty County as State roads and to abandon a part of a presently existing State road in Liberty County.

H. B. No. 337—A bill to be entitled An Act to designate and establish a certain State road in Osceola County, Florida.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Shivers, Chairman of the Committee on Public Roads and Highways, reported that the Committee had carefully considered the following Bills:

H. B. No. 171—A bill to be entitled An Act to declare, establish and designate a certain State road.

H. B. No. 172—A bill to be entitled An Act to declare, establish and designate a certain State road.

H. B. No. 307—A bill to be entitled An Act to declare, establish and designate a certain road.

H. B. No. 324—A bill to be entitled An Act to declare, establish and designate a certain State road.

H. B. No. 325—A bill to be entitled An Act redesignating and re-establishing former State Road Number 39.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Shivers, Chairman of the Committee on Public Roads and Highways, reported that the Committee had carefully considered the following Bills:

H. B. No. 16—A bill to be entitled An Act designating and establishing a certain road in Hamilton County, Florida, as a State road.

H. B. No. 42—A bill to be entitled An Act to designate that part of State Road 11 between Bunnell and Flagler Beach, Florida, in Flagler County as Moody Boulevard in memory of Honorable I. I. Moody, deceased.

H. B. No. 89—A bill to be entitled An Act to declare, designate and establish State road in Indian River County, Florida.

H. B. No. 122—A bill to be entitled An Act to establish a certain State road.

H. B. No. 170—A bill to be entitled An Act designating and establishing a State road in Taylor County.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Shivers, Chairman of the Committee on Public Roads and Highways, reported that the Committee had carefully considered the following Bill:

H. B. No. 336—A bill to be entitled An Act declaring, designating and establishing certain State roads in Collier County, Florida.

—and recommends that it do pass with committee amendments as attached thereto.

And the Bill contained in the preceding report, together with the Committee amendments attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Shivers, Chairman of the Committee on Public Roads and Highways, reported that the Committee had carefully considered the following Bills:

H. B. No. 74—A bill to be entitled An Act making the Royal Palm, *Roystonea Regia*, the official State Tree of Florida.

S. B. No. 388—A bill to be entitled An Act relating to the procurement of insurance policies by the State Road Department of the State of Florida, with respect to any bridge leased, purchased, constructed or maintained by the use of surplus gasoline tax funds remitted to the State Road Department, as provided by Section 16 (c) Article IX, of the Constitution of Florida, or when such funds or any part thereof are pledged to the payment of bonds, certificates of indebtedness and other obligations; providing for the procurement of such policies from insurance agents doing business in the counties concerned, and providing for the duties of the State Road Department of the State of Florida, and the several Boards of County Commissioners.

—and recommends that they do not pass.

And the Bills contained in the preceding report were laid on the table.

Senator Beall, Chairman of the Committee on Temperance, reported that the Committee had carefully considered the following Bill:

S. B. No. 56—A bill to be entitled An Act to amend Section 561.46 Florida Statutes 1941 (formerly Section 1 of Chapter 22562 Laws of Florida) relating to taxation of unfortified wines produced in Florida; and providing for the computation of lossage and shrinkage in determining such tax.

—and recommends that it do pass.

Senator Shands, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bill:

S. B. No. 56—A bill to be entitled An Act to amend Section 561.46 Florida Statutes 1941 (formerly Section 1 of Chapter 22562 Laws of Florida) relating to taxation of unfortified wines produced in Florida; and providing for the computation of lossage and shrinkage in determining such tax.

—and recommends that it do pass.

And the Bill contained in the preceding reports was placed on the Calendar of Bills on Second Reading.

Senator Baker, Chairman of the Committee on Citrus Fruits, reported that the Committee had carefully considered the following Bill:

S. B. No. 123—A bill to be entitled An Act to provide for the regulation and the control of the citrus industry of the State of Florida; to establish a Florida Citrus Commission and define its duties; to establish and define certain grades and standards for citrus fruits produced in the State of Florida and the canned and concentrated products thereof; to establish and define maturity standards for citrus fruits produced in the State of Florida; to provide for the inspection and certification of citrus fruits produced in the State of Florida and canned and concentrated products thereof and to define the duties of the Commissioner of Agriculture in relation thereto; to provide for the licensing and registration, and the revocation of such, of citrus fruit packing houses and

canning and concentrating plants of citrus fruits; to prohibit shipment or use of citrus fruits produced in the State of Florida and canned or concentrated products thereof not meeting standards set up by this Act or Regulations of the Florida Citrus Commission; to define and provide for the licensing and bonding of citrus fruit dealers and for the revocation of such licenses; to provide for the assessment, levy, collection, and disbursement of certain advertising taxes, inspection taxes, and excise taxes on citrus fruits produced in the State of Florida; to define the duties of the Commissioner of Agriculture in relation to the administration and enforcement of laws dealing with citrus fruits produced in the State of Florida; to provide for the regulation of the manufacture and use of coloring matter to be used in the coloring of citrus fruits produced in the State of Florida; to prohibit the use of arsenic in certain particulars; to provide penalties for the violation of this Act and any Rules and Regulations of the Florida Citrus Commission or the Commissioner of Agriculture of the State of Florida promulgated hereunder; and to repeal Chapters 594, 595, 596, 597, 598, 599 and 600, Florida Statutes, 1941, and any and all laws in conflict herewith.

—and recommends that it do pass with committee amendments as attached thereto.

And the Bill contained in the preceding report, together with the Committee amendments attached thereto, was placed on the Calendar of Bills on Second Reading.

ENROLLING REPORTS

Your Enrolling Clerk to whom was referred—

- S. B. No. 48
- S. B. No. 106
- S. B. No. 155
- S. B. No. 176
- S. B. No. 179
- S. B. No. 190
- S. B. No. 196
- S. B. No. 199
- S. B. No. 209
- S. B. No. 232
- S. B. No. 280
- S. B. No. 285
- S. B. No. 341
- S. M. No. 37

—begs leave to report same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on May 3, 1949, for his approval.

Very respectfully,
ROBT. W. DAVIS,
Secretary of the Senate as Ex Officio
Enrolling Clerk of the Senate.

Your Enrolling Clerk, to whom was referred—

- H. B. No. 85
- H. B. No. 87
- H. B. No. 127
- H. B. No. 369
- H. C. R. No. 409

—begs leave to report same have been signed in open session by the President and Secretary of the Senate and the Speaker

and Chief Clerk of the House of Representatives, and this day presented to the Governor for his approval.

Very respectfully,
ROBT. W. DAVIS,
Enrolling Clerk Ex Officio as
Secretary of the Senate.

Senator Shands moved that a committee be appointed to escort Honorable Harry H. Wells, of Tallahassee, Florida, former member of the Senate from the Twenty-fifth Senatorial District, to a seat on the rostrum.

Which was agreed to.

And the President Pro Tempore appointed Senators Shands, Sturgis and Davis as the committee.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Boyle—

S. B. No. 411—A bill to be entitled An Act relating to the printing or lithographing on the crown or lid of all taxable malt beverages packaged in bottles or cans for sale in Florida the word "Florida"; providing for confiscation of any such malt beverages not having the word "Florida" on the crown or lid thereof; and providing for penalties for any violation.

Which was read the first time by title only and referred to the Committee on Temperance.

By Senator Boyle—

S. B. No. 412—A bill to be entitled An Act for the relief of Nolan Fore for damages to his cattle caused by the use of DDT in cattle dip solution in Volusia County, Florida, by the State Livestock Sanitary Board.

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

By Senator Wilson—

S. B. No. 413—A bill to be entitled An Act to amend Section 500.15, Florida Statutes, 1941, as amended by Chapter 22927, Laws of Florida, Acts of 1945, relating to and defining misbranded drugs.

Which was read the first time by title only and referred to the Committee on Public Health.

By Senator Ray—

S. B. No. 414—A bill to be entitled An Act authorizing each county in this State, acting through its Board of County Commissioners, to donate and convey without cost, to the Board of Public Instruction (school board) of that county, and execute deeds of conveyance, any lands suitable for school purposes, owned now or hereafter acquired by such county, when not needed for other county purposes; and to authorize the County Boards of Public Instruction of each county in the State to donate and convey without cost to the Board of County Commissioners of that county, lands owned by the county school system which are not suited for school purposes; public notice unnecessary.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senator Shivers—

S. B. No. 415—A bill to be entitled An Act to repeal Section 502.24, Florida Statutes, 1941, relating to standards for milk, cream, and milk products set by municipalities.

Which was read the first time by title only and referred to the Committee on Public Health.

By Senator Tucker—

S. B. No. 416—A bill to be entitled An Act providing for the cancellation by adjustment of all tax certificates issued on lands in Liberty County, Florida, prior to the year 1946, such adjustment to permit cancellation of all interest and penalties other than the face of certificate, plus four per cent compound interest.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 416 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Tucker moved that the rules be waived and Senate Bill No. 416 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 416 was read the second time by title only.

Senator Tucker moved that the rules be further waived and Senate Bill No. 416 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 416 was read the third time in full.

Upon the passage of Senate Bill No. 416 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So Senate Bill No. 416 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Beacham—

S. B. No. 417—A bill to be entitled An Act relating to the town of Palm Beach in Palm Beach County, Florida; granting the Town of Palm Beach in Palm Beach County, Florida, power to impose, levy and collect license and excise taxes; ratifying, validating and confirming that certain ordinance duly enacted March 30, A. D. 1949, amending Sections 19 & 28 of the ordinance of April 11, 1947, relating to the Town of Palm Beach Employees Retirement System and authorizing and empowering said Town of Palm Beach to levy and collect an annual tax in an amount not to exceed one and one-half mills on all taxable property within said municipality for the purpose of financing the town's share of said Town of Palm Beach Retirement System; repealing all laws in conflict herewith, providing that if any portion of this Act be declared invalid or unconstitutional it shall not affect the remaining portions of said Act; and repealing all laws or parts of laws in conflict herewith.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 417 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Beacham moved that the rules be waived and Senate Bill No. 417 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 417 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 417 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 417 was read the third time in full.

Upon the passage of Senate Bill No. 417 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So Senate Bill No. 417 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Beacham—

S. B. No. 418—A bill to be entitled An Act to provide for the creation of a Municipal Corporation to be known as the Town of Highland Beach, in Palm Beach County, Florida; to fix and determine the territorial limits, jurisdiction, powers and privileges of said town and the jurisdiction, powers and privileges of its officers.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 418 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Beacham moved that the rules be waived and Senate Bill No. 418 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 418 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 418 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 418 was read the third time in full.

Upon the passage of Senate Bill No. 418 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So Senate Bill No. 418 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Boyle—

S. B. No. 419—A bill to be entitled An Act relating to racing and cancelling and annulling all permits to conduct race meetings and racing issued prior to January 1, 1943, under the Statutes of the State of Florida where the holder of such permit has not conducted a racing meet thereunder within a period of five years next preceding the passage of this Act, and providing that this Act shall be applicable to all such permits notwithstanding said permittee may be a corporation which has been dissolved or a person, corporation or association which is in bankruptcy or whose assets or affairs are in the hands of a trustee in bankruptcy or of a receiver appointed by any court.

Which was read the first time by title only and referred to the Committee on Miscellaneous Legislation.

By Senator Clarke—

S. B. No. 420—A bill to be entitled An Act relating to building and loan associations; providing for the appointment of a conservator; winding up conservatorship; appointment of liquidator; and repealing Sections 667.01, 667.02, 667.03, 667.04, 667.05, 667.06, 667.07, and 667.08, Florida Statutes, 1941, and all other laws and parts of laws in conflict herewith

Which was read the first time by title only and referred to the Committee on Banking and Building and Loans.

By Senator Shivers—

S. B. No. 421—A bill to be entitled An Act requiring the Board of County Commissioners and the Board of Public Instruction in and for Washington County, Florida, on and after October 1, 1949, to publish minutes of their respective sessions in a newspaper of general circulation printed and published in said county, or in lieu thereof, under stated circumstances, to publish such minutes by posting copies thereof on the bulletin board at the County Court House in said county; requiring the appropriation by each of said boards of a sum of \$300.00 annually to pay for such publications; and providing for removal of members of said respective boards, their clerks or secretaries, refusing to comply with the provisions of this Act.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 421 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Shivers moved that the rules be waived and Senate Bill No. 421 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 421 was read the second time by title only.

Senator Shivers moved that the rules be further waived and Senate Bill No. 421 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 421 was read the third time in full.

Upon the passage of Senate Bill No. 421 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So Senate Bill No. 421 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Shivers—

S. B. No. 422—A bill to be entitled An Act to repeal Chapter 24974, Laws of Florida, Acts of 1947, entitled, "An Act fixing an additional license fee to be paid by non-residents of the State of Florida for the privilege of fishing in the fresh waters of Washington County, Florida; providing for issuance of such additional licenses and disposition of such fees; prescribing penalties for violation of this Act; and repealing all laws and parts of laws in conflict herewith"; and fixing the effective date of this Act.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 422 when it was introduced in the Senate, and evidence

that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Shivers moved that the rules be waived and Senate Bill No. 422 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 422 was read the second time by title only.

Senator Shivers moved that the rules be further waived and the Senate Bill No. 422 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 422 was read the third time in full.

Upon the passage of Senate Bill No. 422 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So Senate Bill No. 422 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Shivers—

S. B. No. 423—A bill to be entitled An Act providing for the division of race track funds allocated to Washington County, Florida, after October 1, 1949, as follows: The first \$12,000 thereof to the Board of Trustees of the proposed County Public Hospital in said county, balance to be equally divided between the Board of County Commissioners and the Board of Public Instruction in and for said county; providing the purpose for which such moneys so received by said Board of Trustees may be used; and repealing all laws and parts of laws in conflict therewith.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 423 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Shivers moved that the rules be waived and Senate Bill No. 423 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 423 was read the second time by title only.

Senator Shivers moved that the rules be further waived and Senate Bill No. 423 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 423 was read the third time in full.

Upon the passage of Senate Bill No. 423 the roll was called and the vote was:

Yeas—38

Mr. President	Beacham	Collins	Getzen
Alford	Beall	Crary	Johns
Ayers	Boyle	Davis	Johnston
Baker	Carroll	Franklin	King
Baynard	Clarke	Gautier	Leaird

Lindler	Pope	Sheldon	Walker
Mathews	Ray	Shivers	Wilson
McArthur	Rodgers	Smith	Wright
Moore	Sanchez	Sturgis	
Pearce	Shands	Tucker	

Nays—None

So Senate Bill No. 423 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Collins—

S. B. No. 424—A bill to be entitled An Act to provide a statutory basis for the program of vocational rehabilitation of disabled persons administered by the State Board of Vocational Education.

Which was read the first time by title only and referred to the Committee on Education.

By Senator Beacham—

S. B. No. 425—A bill to be entitled An Act to amend Section 561.42, Florida Statutes 1941, as amended by Chapter 23,746, Laws of Florida, Acts of 1947, relating to the prohibition against manufacturers or distributors of alcoholic beverages having any financial interest in the business of vendors of such beverages the prohibition of financial aid and assistance by manufacturers and distributors of such beverages to vendors thereof, the manner, method and terms of sale by such manufacturers and distributors to such vendors; by prohibiting manufacturers and distributors of alcoholic beverages from furnishing certain advertising signs to any vendors and regulating the display of signs by vendors of such beverages; and repealing all laws or parts of laws in conflict with the provisions thereof.

Which was read the first time by title only and referred to the Committee on Temperance.

By the Committee on Public Roads and Highways—

S. B. No. 426—A bill to be entitled An Act designating a certain State road as a super highway and authorizing the State Road Department to cooperate with the Federal Government to complete said road at the earliest practical date and repealing all laws or parts of laws in conflict with this Act.

Which was read the first time by title only and placed on the Calendar of Bills on Second Reading, without reference.

By the Committee on Public Roads and Highways—

Senate Memorial No. 427:

A MEMORIAL to the Congress of the United States relative to a transcontinental highway.

WHEREAS it is proposed that the present highway from the Atlantic Coast at Jacksonville, Florida, to the Pacific Coast at Los Angeles, California be widened to four lanes and modernized as a transcontinental super highway, and

WHEREAS many congested areas of the present highway are now four lane or have four lane grades or bridges, and

WHEREAS a modern high speed transcontinental highway is necessary to meet current traffic needs and to afford an all year route, virtually free of snow and ice, to meet transcontinental highway transportation requirements when northern routes are blocked by snow or are hazardous as result of low temperatures, and

WHEREAS the proposed route from the Atlantic to the Pacific skirting the Gulf of Mexico and the Mexican border will afford an all year all weather route where winter temperatures rarely go below the freezing point, and

WHEREAS the proposed route was heavily used for military convoys and other military needs during World War II and is necessary to assure adequate transcontinental all weather highway facilities as a national defense measure, and

WHEREAS the federal taxes on gasoline and motor oil collected by the federal government for the fiscal year 1949 will amount to approximately \$560,000,000 which will be ap-

proximately \$100,000,000 in excess of the amount allocated by the federal government for road construction, and

WHEREAS the construction of the proposed highway at this time will materially relieve the growing unemployment problem, therefore

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

1. That the Congress of the United States is respectively petitioned and urged to pass appropriate legislation:

(a). Authorizing and requiring the Federal Bureau of Roads to cooperate with the respective States in the prompt completion of a four lane modern highway from Jacksonville, Florida, on the Atlantic Coast to Los Angeles, California on the Pacific Coast; and that said highway for its entire length from the Atlantic Coast to the Pacific Coast be designated by an appropriate U. S. Highway number.

(b). That the sum of \$250,000,000 be appropriated, to be apportioned on a mileage basis and expended in cooperation with the respective states traversed by said highway, for the prompt construction of the proposed transcontinental super highway.

2. That the Secretary of State is hereby directed to certify a copy of this Memorial to the President of the United States; the presiding officers of the two houses of the Congress of the United States, and to the United States Senators and Representatives from Florida.

Which was read the first time in full and placed on the Calendar, without reference.

By Senator Johns—

S. B. No. 428—A bill to be entitled An Act requiring Bradford County and any school district, the School Board, or other political subdivision to contribute and pay a portion of the expense of laying sidewalks, sewers, water mains, curbing and paving through or along property owned or held by said county or its said agencies in the City of Starke, Florida.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 428 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Johns moved that the rules be waived and Senate Bill No. 428 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 428 was read the second time by title only.

Senator Johns moved that the rules be further waived and Senate Bill No. 428 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 428 was read the third time in full.

Upon the passage of Senate Bill No. 428 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So Senate Bill No. 428 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Johns—

S. B. No. 429—A bill to be entitled An Act authorizing, empowering and directing the City Clerk of the City of Starke, Bradford County, Florida, to cancel all municipal tax sale certificates held by any private person or holder issued prior to the year 1935.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 429 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Johns moved that the rules be waived and Senate Bill No. 429 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 429 was read the second time by title only.

Senator Johns moved that the rules be further waived and Senate Bill No. 429 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 429 was read the third time in full.

Upon the passage of Senate Bill No. 429 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So Senate Bill No. 429 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Baynard—

Senate Joint Resolution No. 430:

A JOINT RESOLUTION PROPOSING TO STRIKE FROM THE PRESENT CONSTITUTION OF FLORIDA ARTICLE V, PERTAINING TO THE JUDICIARY DEPARTMENT, AND ALL AMENDMENTS THERETO, AND TO SUBSTITUTE IN LIEU THEREOF A NEW ARTICLE V;

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That Article V of the present Constitution of Florida, and all amendments to said article, be, and they are hereby, stricken and that the following be substituted in lieu thereof as Article V of the Constitution of Florida:

ARTICLE V
JUDICIAL

Section 1. Courts.—The judicial powers of the state shall be vested in a supreme court, circuit courts, and county courts and also in such juvenile courts as the legislature may establish. No other courts shall be established, except that the legislature may, by general law, establish municipal courts whose uniform jurisdiction shall be limited to punishment for violations of municipal ordinances, and except that the legislature may give to the railroad and public utilities commission such judicial powers as the legislature may deem necessary for the proper functioning of said commission.

Section 2. Administrative and quasi-judicial tribunals.—The legislature may by general law establish administrative tribunals and may clothe such tribunals with such judicial powers in matters connected with the functions of their offices

as the legislature may deem necessary. Rulings of such tribunals and of the railroad and public utilities commission shall be subject to review by the courts in such manner as the legislature may prescribe; provided that, in reviewing such rulings, the court shall in every case independently determine whether the evidence is legally sufficient to afford substantial support of the rulings reviewed and whether there has been a departure from the essential requirements of law in such rulings.

Section 3. Jurisdiction of the supreme court.—The supreme court shall have appellate and supervisory jurisdiction in all civil and criminal cases. It shall also have jurisdiction of such other matters as the legislature may authorize.

The supreme court shall have power to issue writs of mandamus, certiorari, prohibition, quo warranto, habeas corpus, and all other extraordinary writs appropriate to the complete exercise of its jurisdiction. Writs of habeas corpus may be issued by any justice of the supreme court. No application of an extraordinary writ shall be denied because the wrong writ is applied for, but the supreme court shall issue the proper writ and upon final hearing shall issue such writ or writs as may be appropriate. This provision shall likewise apply to extraordinary writs in circuit courts.

Section 4. Qualification of supreme court justices.—No person shall be a member of the supreme court unless he is a member of the bar of Florida. No person shall be a member of the supreme court after the 31st day of December of the year in which he attains the age of seventy years, except as provided in section 5 of this article.

Section 5. Number of justices, selection and term of office.

—There shall be not less than nine justices of the supreme court. The legislature may increase the number of justices from time to time.

A nonpartisan supreme-court commission, whose duty it shall be to nominate and submit to the governor names of persons for appointment to vacancies on the supreme court is hereby established. Said commission shall consist of the chief justice of the supreme court, who shall be its chairman, and one attorney at law from each congressional district, elected by the members of the bar of this state residing in such congressional district, and one citizen, not an attorney at law, from each congressional district, appointed by the governor. No person, except the chairman, who holds any public office, public employment, or official position in any political party or political organization shall be eligible for election or appointment to such commission. The terms of commissioners shall be six years. Of those first elected and appointed, one shall serve for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years, and one for a term of six years. Thereafter, elections and appointments, except those to fill vacancies for unexpired terms, shall be for full terms of six years. The commissioners shall receive no compensation but shall receive their reasonable expenses while engaged in the discharge of their duties. The commission shall act by majority vote.

Whenever a vacancy occurs in the office of justice of the supreme court, the governor shall initially fill such vacancy by appointing one of three persons who shall be nominated and whose names shall be submitted to the governor by said nonpartisan supreme-court commission.

Each justice of the supreme court appointed by the governor shall hold office for a term ending December 31 following the next general election after he has held office for a period of two years.

Each justice holding office on the effective date of this article shall continue to hold office until the end of the term for which he was elected.

Each justice holding office on the effective date of this article and each justice subsequently appointed or elected may, unless removed for cause, run for reelection at the general election preceding the expiration of his term, by filing in the office of the secretary of state at least sixty days prior to such general election a notice of his candidacy to succeed himself. If such notice is not filed, the vacancy resulting from the expiration of his term shall be filled by appointment as herein provided. If such notice is filed, his name shall be submitted to the voters at such general election for accep-

tance or rejection upon the following question: "Shall Justice of the Supreme Court be retained in office? Yes.....; No"

If a majority of those voting on the question vote against retaining him in office, the vacancy resulting from the expiration of his term shall be filled by appointment as herein provided; otherwise he shall remain in office for a further term of six years, except as provided in section 4 of this article.

Section 6. Quorum.—Five justices shall constitute a quorum for the hearing of cases in the supreme court, and the concurrence of three of such justices shall be necessary for the determination of each case, except that cases involving a constitutional question or capital punishment shall be heard by a court of nine justices, and the concurrence of a majority shall be necessary for the determination of each case. The chief justice shall make assignments of the justices to sit in all cases.

Section 7. Rules.—The supreme court shall make rules governing the administration, practice, and procedure of all courts, the admission to practice law, and the disciplining and disbarment of lawyers.

Section 8. Salaries.—The salaries of the justices of the supreme court shall be fixed by the legislature, but the salary of no justice may be diminished during his term of office.

Section 9. Chief justice, administrative officer.—The chief justice shall from time to time be selected by the justices of the supreme court for a term of four years. He shall be the chief administrative officer of all the courts of the state. He shall see to it that litigation is dispatched promptly. He shall appoint an administrative assistant to serve at his pleasure, with such salary as the legislature shall provide, who shall perform such duties as the chief justice may direct. He shall cause to be published a biennial report covering the work done by all courts and the condition of all court dockets at the close of each year. He shall report to each session of the legislature his recommendations for legislation concerning the organization of the judiciary, the personnel of the courts, and such other matters as will improve the prompt and efficient administration of justice in the courts. He shall require of all circuit judges, county judges, and of the clerks of all courts such data as he may desire from time to time for his information, which data shall be furnished without charge.

The chief justice may assign a judge of any court to hear cases in a coordinate or inferior court.

Section 10. Clerk.—The supreme court may appoint a clerk of the supreme court and one or more deputies and assistants, who shall hold office during the pleasure of the court and perform such duties as the court may direct. Their salaries shall be fixed by the legislature.

Section 11. Circuit judges as justices of the supreme court.—Circuit judges shall at all times be subject to call to the supreme court, and the chief justice may at any time call one or more of them to sit on the supreme court for such time as he may designate.

Section 12. Decisions.—Each decision of the supreme court shall succinctly state the principles of law upon which the decision is based. Memorandum decisions shall cite the authorities upon which they are based.

Section 13. Independence of judiciary.—No justice or judge of any court shall hold any other office of profit, nor actively engage in any business. Any justice or judge who shall become a candidate for any other office shall thereby forfeit his judicial office. No justice or judge shall be eligible to any nonjudicial office until one year after he has relinquished his judicial office.

No justice or judge of any court shall directly or indirectly make any campaign contribution to anyone or to any political party or hold any office in any political party or organization or take any part whatever in any political campaign.

Section 14. Removal of judges.—Justices of the supreme court and judges of all other courts shall be subject to impeachment.

Section 15. Number of circuits and circuit judges.—There shall be a circuit court in each county. Each county having a population of 25,000 or more, according to the latest state or federal census, shall constitute a separate circuit. The legislature shall establish, and from time to time rearrange, other circuits consisting of groups of contiguous counties containing aggregate populations of approximately 25,000 according to the latest state or federal census; provided, however, that in exceptional cases the legislature may include one or more counties containing less than 25,000 population in the same circuit with a contiguous county or contiguous counties having a population of more than 25,000. Each circuit shall have one circuit judge for each 25,000 population and one for each additional major fraction thereof.

Section 16. Senior judge.—The senior judge of each circuit court and of each county court, in point of continuous service, shall direct the assignments of judges and the dispatch of cases in his court, unless he relinquishes such duties, in which event the judge next in point of continuous service in such court shall perform such duties.

Section 17. Jurisdiction of circuit courts.—Circuit courts shall have exclusive jurisdiction of the trial of all criminal cases, except as provided in section 31 of this article, and of all cases at law or in equity, except as provided in section 20 of this article. Circuit judges may issue writs of mandamus, prohibition, injunction, quo warranto, certiorari, and habeas corpus, and all other writs appropriate to the complete exercise of their jurisdiction.

Section 18. Juries.—Jury service shall be performed by citizens who possess such qualifications as the legislature may prescribe.

There shall be twelve jurors in capital cases. In all other jury cases there shall be six jurors. The concurrence of five-sixth of a jury and no more shall be necessary to a verdict.

Judges of county courts shall decide all cases without juries. Circuit courts shall decide without juries all misdemeanor cases involving punishment for traffic violations. Trial by jury may be waived by the defendant in all criminal cases and by consent of the parties in all civil cases.

Section 19. County judges.—There shall be a county judge in each county, selected as circuit judges are selected, to serve as judge of the county court.

Upon recommendation of the chief justice of the supreme court, the legislature shall provide for one or more associate county judges in counties where the needs of the office so require; the associate county judges shall be selected as other judges are selected.

Section 20. Jurisdiction of county courts.—County courts shall have exclusive jurisdiction of the probate of wills and the administration of decedent's estates and also of the persons and estates of minors and incompetents. They shall also have concurrent jurisdiction with circuit courts in construing wills and in determining the title, possession, and mesne profits of real and personal property, including homestead, involved in the administration of decedents' estates. County courts shall have exclusive jurisdiction in all cases at law in which the money demand does not exceed two hundred fifty dollars, exclusive of costs, interest, and attorney's fees, and in cases relating to forcible entry or unlawful detention of lands and tenements. They shall have the power of committing magistrates.

All cases at law in which the money demand does not exceed two hundred fifty dollars, exclusive of costs, interest, and attorney's fees, shall be heard and determined as small claims by the county judge without formal pleadings. No fees shall be charged by county judges in such cases. Notice to appear shall issue to the defendant by the county judge without charge and may be served by anyone with return of service made under oath.

Section 21. Qualification of judges.—No person shall be eligible to the office of circuit judge or county judge unless he is a member of the bar of Florida; provided, however, that circuit judges and county judges in office on the effective date of this article shall remain in office until the expiration or their then current terms, and they may run for reelection as provided in section 22 of this article. No person shall be

eligible to hold the office of circuit judge or county judge after the 31st day of December of the year in which he attains the age of seventy years, except as otherwise provided in this section.

Any justice or judge, after he has been retired because he has reached the age of seventy years, may be called by the chief justice of the supreme court at any time to serve temporarily as justice of the supreme court or as judge in any circuit court or county court in the state.

No justice or judge shall sit in any case in which he has any interest or in which any party or attorney for any party is related to him consanguinity or affinity within the third degree.

Section 22. Selection of judges; terms.—Nonpartisan circuit commissions whose duty it shall be to nominate and submit to the governor names of persons for appointment to vacancies in the office of circuit judge and county judge in their respective circuits are hereby established. Each such commission shall consist of the senior circuit judge of the circuit, who shall be its chairman, and three attorneys at law, elected by the members of the bar of the circuit, and three citizens who are not attorneys at law, appointed by the governor. Each commissioner shall be a bona fide resident of the circuit for at least one year prior to his appointment. No person, except the chairman, who holds any public office, public employment, or official position in any political party or political organization shall be eligible for election or appointment to such commission. The terms of commissioners shall be six years. Those first elected by the members of the bar and those first appointed by the governor shall serve, two for a term of two years, two for a term of four years, and two for a term of six years. Thereafter, elections and appointments, except those to fill vacancies for unexpired terms, shall be for full terms of six years. The commissioners shall receive no compensation, but shall receive their reasonable expenses while engaged in the discharge of their duties. The commission shall act by majority vote.

Each circuit judge, including those judges who by virtue of this article become circuit judges, and each county judge holding office on the effective date of this article shall continue to hold office until the end of the term for which he was elected.

Whenever a vacancy occurs in the office of circuit judge or county judge, the governor shall initially fill such vacancy by appointing one of three persons, possessing the qualifications for such office, who shall be nominated and whose names shall be submitted to the governor by a nonpartisan circuit commission established and organized as herein provided.

Each judge appointed by the governor shall hold office for a term ending December 31 following the next general election after he has held office for a period of two years. Each circuit judge and each county judge holding office on the effective date of this article and each judge subsequently appointed or elected may, unless removed for cause, run for reelection at the general election preceding the expiration of his term, by filing in the office of the secretary of state at least sixty days prior to such general election, a notice of his candidacy to succeed himself. If such a notice is not filed, the vacancy resulting from the expiration of his term shall be filled by appointment as herein provided. If such a notice is filed, his name shall be submitted to the voters at such general election for election or rejection upon the following question: "Shall Judge _____ of the Court be retained in office? Yes _____; No _____."

If a majority of those voting on the question vote against retaining him in office, the vacancy resulting from the expiration of his term shall be filled by appointment as herein provided; otherwise he shall remain in office for a further term of six years, except as provided in section 21 of this article.

Section 23. Salaries of judges.—Judges of circuit courts, county courts, and juvenile courts shall receive salaries, paid out of the treasury of the state, in such amounts as the legislature may prescribe by general law. The salaries of circuit judges paid out of the treasury of the state shall be uniform throughout the state. Any county may supplement the salary of any judge out of its own funds. The salary of no judge shall be diminished during his term of office.

Section 24. Substitution of judges.—In the event of the absence, disability, or disqualification of a county judge, a circuit judge of the county shall temporarily perform the functions of the county judge until the chief justice assigns another judge to perform such functions.

In the event of the absence, disability, or disqualification of the circuit judge of a circuit having only one circuit judge, the county judge shall temporarily perform the functions of the circuit judge in this county until the chief justice assigns another judge to perform such functions.

Section 25. Judges ad litem.—The attorneys in any case or proceeding in any court may, by written stipulation filed in the case, appoint an attorney, but only with his consent, to hear and determine any case as judge ad litem without a jury. The orders, judgments, and decrees of such judge ad litem shall have the same effect in every particular as if made by the judge of the court.

Section 26. Terms of court.—There shall be no terms of court in any court. It shall be the duty of the judges of the courts to dispatch pending matters promptly.

Section 27. Appeals.—Appeals from orders and decrees in equity and from final judgments at law and judgments in criminal cases in the circuit courts and from appealable orders of county courts in probate shall be directly to the supreme court.

Appeals from all other judgments of county courts shall be made to the circuit courts; judgments of the circuit courts thereon shall be final, but subject to certiorari from the supreme court.

Appeals may be taken from municipal courts to the circuit courts of the respective counties. On such an appeal the case shall be tried de novo without a jury. The judgment of the circuit court shall not be subject to appeal, but may be subject to certiorari from the supreme court.

Section 28. Prosecuting attorneys; terms.—There shall be elected in each circuit an attorney at law who shall be known as the prosecuting attorney and who shall hold office for four years. He shall have necessary assistants, to be appointed by him, in such number as may be prescribed by the legislature. The legislature may by general law specify the compensation to be paid by the state to prosecuting attorneys and their assistants in the different areas of the state.

Section 29. Transfer of judges.—Upon the effective date of this article, the judge of the Court of Record of Escambia County and the judges of the civil courts of record and of the criminal courts of record of this state shall become circuit judges and hold office until the expiration of their then current terms; and they may run for reelection as circuit judges, as provided in section 22 of this article.

In existing circuits, which by virtue of this article are divided into two or more separate circuits, the senior circuit judge in point of continuous service shall be entitled to choose the county of which he shall remain as circuit judge, and the junior circuit judges shall have similar choice in order of seniority. Thereafter they shall run for reelection in the respective counties chosen by them.

Section 30. Transfer of cases.—Upon the effective date of this article, all cases pending in any courts not expressly continued in existence hereby shall be transferred to the courts having jurisdiction thereof under this article.

Section 31. Juvenile courts.—The legislature shall have power to create and establish juvenile courts or juvenile and domestic relations court in such county or counties or districts within the state as it may deem proper; to define the jurisdiction and powers of such courts and the officers thereof; to vest in such courts exclusive original jurisdiction of all or any criminal cases where minors under any age specified by the legislature from time to time are accused, including the right to define any or all offenses committed by any such persons as acts of delinquency instead of crimes; to provide for the qualification, election, or selection and appointment of judges, probation officers, and such other officers and employees of such courts as the legislature may determine, and to fix their compensation and terms of office; all in such manner and for such time and according to such methods as the legislature may prescribe. Such courts shall not be limited by other provisions of the Constitution as to

trial by jury, or as to the use of the terms "prosecuting attorney" and "information," or as to election or appointment of officers, or as to jurisdiction of other courts in criminal cases, or as to original jurisdiction of the interests of minors, or as to style of process and prosecution in the name of the state, or other existing provisions of the Constitution which may conflict with the jurisdiction or powers conferred on such courts by virtue of this section.

Section 32. Elections of commissioners; expenses.—Elections for the nonpartisan supreme-court commission and for the nonpartisan circuit commissions provided for in sections 5 and 22 of this article shall be by written ballot under such rules and regulations as may be prescribed by the Supreme Court of Florida. All expenses incurred in holding such elections, when approved by one of the justices of the supreme court or by the clerk thereof, shall be paid out of the state treasury.

Section 33. Pensions.—No judge shall be deprived of any pension rights or other retirement rights, existing under present law, by reason of the provisions of this article, and the legislature shall enact the necessary laws to protect such pensions and rights.

Section 34. Effective date of this article.—This article shall supersede article V of the present Constitution of Florida, and it shall become effective immediately after the adjournment of the first session of the legislature held after the general election at which this article is approved by the people of Florida.

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

By Senator Moore (By Request)—

S. B. No. 431—A bill to be entitled An Act to amend Section 561.12 Florida Statutes, 1941, relating to distribution of funds collected by the State under the beverage law providing that none of such funds collected by taxes upon wine and spirituous liquors may be expended in counties where the sale of the same is prohibited by law and repealing all laws in conflict herewith.

Which was read the first time by title only and referred to the Committee on Temperance.

By Senator Walker—

S. B. No. 432—A bill to be entitled An Act to amend Section 856.04, Florida Statutes, 1941, relating to desertion and withholding of support.

Which was read the first time by title only and referred to the Committee on Judiciary "B".

By Senator Sheldon—

S. B. No. 433—A bill to be entitled An Act to amend Section 374.13, Florida Statutes, 1941, relating to the taking of shrimp or prawn by cast net only from the inside waters of the state; providing that sport fishing shall be exempt from such requirement where such shrimp are to be used solely for live bait, in counties having a population not less than 115,000, nor more than 270,000, according to the last state census; exempt shrimp not to be exported, sold, or shipped outside exempting counties.

Which was read the first time by title only.

Senator Sheldon moved that the rules be waived and Senate Bill No. 433 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 433 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 433 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 433 was read the third time in full.

Upon the passage of Senate Bill No. 433 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So Senate Bill No. 433 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sheldon—

S. B. No. 434—A bill to be entitled An Act to amend Chapter 24268, Laws of Florida, 1947, relating to salt water fisheries; regulating the taking of shrimp from the salt waters of Florida; defining salt waters; prohibiting the taking of shrimp less than a minimum size; providing that sport fishing in counties having less than 270,000, and more than 115,000 population at last state census, shall be exempt from such requirement where such is to be used solely for live bait; providing a penalty for the violation thereof; exempt shrimp not to be exported beyond exempted counties.

Which was read the first time by title only.

Senator Sheldon moved that the rules be waived and Senate Bill No. 434 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 434 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 434 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 434 was read the third time in full.

Upon the passage of Senate Bill No. 434 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So Senate Bill No. 434 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Beacham and Leaird—

S. B. No. 435—A bill to be entitled An Act in reference to the State Seminole Indian Reservation; to the imposition of taxes on the lands comprising said reservation; and cancelling the lien of taxes heretofore imposed thereon.

Which was read the first time by title only.

Senator Beacham moved that the rules be waived and Senate Bill No. 435 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 435 was read the second time in full.

Senator Beacham moved that the rules be further waived and Senate Bill No 435 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 435 was read the third time in full.

Upon the passage of Senate Bill No. 435 the roll was called and the vote was:

Yeas—35

Mr. President	Clarke	Lindler	Sheldon
Alford	Collins	Mathews	Shivers
Ayers	Crary	Moore	Smith
Baker	Davis	Pearce	Sturgis
Baynard	Franklin	Pope	Tucker
Beacham	Gautier	Ray	Walker
Beall	Johnston	Rodgers	Wilson
Boyle	King	Sanchez	Wright
Carroll	Leaird	Shands	

Nays—None

So Senate Bill No. 435 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Rodgers asked unanimous consent of the Senate to take up and consider House Bill No. 221, out of its order, at this time.

Which was agreed to.

H. B. No. 221—A bill to be entitled An Act applying only to Orange County, Florida, regulating the caring for children away from their parents or guardians and including care for pregnant females and provisions for infants by private persons and institutions in connection therewith. To provide that the State Welfare Board shall establish and administer reasonable rules and regulations, including minimum standards of care for such enterprises, and requiring those engaged in same to procure a license which shall be subject to revocation under certain conditions.

Was taken up.

Senator Rodgers moved that the rules be waived and House Bill No. 221 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 221 was read the second time by title only.

Senator Rodgers moved that the rules be further waived and House Bill No. 221 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 221 was read the third time in full.

Upon the passage of House Bill No. 221 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So House Bill No. 221 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Crary asked unanimous consent of the Senate to take up and consider House Bill No. 45, out of its order, at this time.

Which was agreed to.

H. B. No. 45—A bill to be entitled An Act to amend Section 8 (a) and Section 13 (a) of Chapter 23296, Special Laws of Florida, Acts of 1945, relating to who shall be members of the Civil Service of the City of Fort Pierce, and providing

for the procedure for discharge or suspension of employees who are members of Civil Service and suspension of pay of employees upon charges being preferred.

Was taken up.

Senator Crary moved that the rules be waived and House Bill No. 45 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 45 was read the second time by title only.

Senator Crary moved that the rules be further waived and House Bill No. 45 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 45 was read the third time in full.

Upon the passage of House Bill No. 45 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So House Bill No. 45 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Crary asked unanimous consent of the Senate to take up and consider House Bill No. 46, out of its order, at this time.

Which was agreed to.

H. B. No. 46—A bill to be entitled An Act providing for the cancellation of all Delinquent State, County and North Saint Lucie River Drainage District Taxes against all lands situated within the Boundaries of the City of Fort Pierce, Florida, and owned by the City of Fort Pierce, Florida, on the date this Act becomes effective.

Was taken up.

Senator Crary moved that the rules be waived and House Bill No. 46 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 46 was read the second time by title only.

Senator Crary moved that the rules be further waived and House Bill No. 46 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 46 was read the third time in full.

Upon the passage of House Bill No. 46 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So House Bill No. 46 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Davis asked unanimous consent of the Senate to take up and consider House Bill No. 509, out of its order, at this time.

Which was agreed to.

H. B. No. 509—A bill to be entitled An Act relating to and fixing the compensation of the Supervisor of Registration of Taylor County, Florida.

Was taken up.

Senator Davis moved that the rules be waived and House Bill No. 509 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 509 was read the second time by title only.

Senator Davis offered the following amendment to House Bill No. 509:

In Section 1, line 7 (typewritten bill), strike out the word: "less" and insert in lieu thereof the following: "more".

Senator Davis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Davis moved that the rules be further waived and House Bill No. 509, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 509, as amended, was read the third time in full.

Upon the passage of House Bill No. 509, as amended, the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So House Bill No. 509 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shivers asked unanimous consent of the Senate to take up and consider House Bill No. 372, out of its order, at this time.

Which was agreed to.

H. B. No. 372—A bill to be entitled An Act to declare, designate and establish a certain State Road.

Was taken up.

Senator Shivers moved that the rules be waived and House Bill No. 372 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 372 was read the second time by title only.

Senator Shivers moved that the rules be further waived and House Bill No. 372 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 372 was read the third time in full.

Upon the passage of House Bill No. 372 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So House Bill No. 372 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shivers asked unanimous consent of the Senate to take up and consider House Bill No. 381, out of its order, at this time.

Which was agreed to.

H. B. No. 381—A bill to be entitled An Act to designate and establish a certain State road in Wakulla County, Florida, and providing that said designated road be given an appropriate State number; repealing conflicting laws; fixing effective date of Act.

Was taken up.

Senator Shivers moved that the rules be waived and House Bill No. 381 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 381 was read the second time by title only.

Senator Shivers moved that the rules be further waived and House Bill No. 381 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 381 was read the third time in full.

Upon the passage of House Bill No. 381 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So House Bill No. 381 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shivers asked unanimous consent of the Senate to take up and consider House Bill No. 326, out of its order, at this time.

Which was agreed to.

H. B. No. 326—A bill to be entitled An Act to declare, establish and designate a certain State Road.

Was taken up.

Senator Shivers moved that the rules be waived and House Bill No. 326 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 326 was read the second time by title only.

Senator Shivers moved that the rules be further waived and House Bill No. 326 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 326 was read the third time in full.

Upon the passage of House Bill No. 326 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So House Bill No. 326 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shivers asked unanimous consent of the Senate to take up and consider House Bill No. 327, out of its order, at this time.

Which was agreed to.

H. B. No. 327—A bill to be entitled An Act to declare, establish and designate a certain State Road.

Was taken up.

Senator Shivers moved that the rules be waived and House Bill No. 327 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 327 was read the second time by title only.

Senator Shivers moved that the rules be further waived and House Bill No. 327 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 327 was read the third time in full.

Upon the passage of House Bill No. 327 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So House Bill No. 327 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shivers asked unanimous consent of the Senate to take up and consider House Bill No. 328, out of its order, at this time.

Which was agreed to.

H. B. No. 328—A bill to be entitled An Act to declare, designate and establish a Certain State Road.

Was taken up.

Senator Shivers moved that the rules be waived and House Bill No. 328 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 328 was read the second time by title only.

Senator Shivers moved that the rules be further waived and House Bill No. 328 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 328 was read the third time in full.

Upon the passage of House Bill No. 328 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So House Bill No. 328 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shivers asked unanimous consent of the Senate to take up and consider House Bill No. 335, out of its order, at this time.

Which was agreed to.

H. B. No. 335—A bill to be entitled An Act to declare, designate and establish certain roads in Liberty County as state roads and to abandon a part of a presently existing state road in Liberty County.

Was taken up.

Senator Shivers moved that the rules be waived and House Bill No. 335 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 335 was read the second time by title only.

Senator Shivers moved that the rules be further waived and House Bill No. 335 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 335 was read the third time in full.

Upon the passage of House Bill No. 335 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So House Bill No. 335 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shivers asked unanimous consent of the Senate to take up and consider House Bill No. 337, out of its order, at this time.

Which was agreed to.

H. B. No. 337—A bill to be entitled An Act to designate and establish a certain State road in Osceola County, Florida.

Was taken up.

Senator Shivers moved that the rules be waived and House Bill No. 337 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 337 was read the second time by title only.

Senator Shivers moved that the rules be further waived and House Bill No. 337 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 337 was read the third time in full.

Upon the passage of House Bill No. 337 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So House Bill No. 337 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shivers asked unanimous consent of the Senate to take up and consider House Bill No. 171, out of its order, at this time.

Which was agreed to.

H. B. No. 171—A bill to be entitled An Act to declare, establish and designate a certain State road.

Was taken up.

Senator Shivers moved that the rules be waived and House Bill No. 171 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 171 was read the second time by title only.

Senator Shivers moved that the rules be further waived and House Bill No. 171 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 171 was read the third time in full.

Upon the passage of House Bill No. 171 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So House Bill No. 171 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shivers asked unanimous consent of the Senate to take up and consider House Bill No. 172, out of its order, at this time.

Which was agreed to.

H. B. No. 172—A bill to be entitled An Act to declare, establish and designate a certain State road.

Was taken up.

Senator Shivers moved that the rules be waived and House Bill No. 172 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 172 was read the second time by title only.

Senator Shivers moved that the rules be further waived and House Bill No. 172 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 172 was read the third time in full.

Upon the passage of House Bill No. 172 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So House Bill No. 172 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shivers asked unanimous consent of the Senate to take up and consider House Bill No. 307, out of its order, at this time.

Which was agreed to.

H. B. No. 307—A bill to be entitled An Act to declare, establish and designate a certain State Road.

Was taken up.

Senator Shivers moved that the rules be waived and House Bill No. 307 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 307 was read the second time by title only.

Senator Shivers moved that the rules be further waived and House Bill No. 307 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 307 was read the third time in full.

Upon the passage of House Bill No. 307 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So House Bill No. 307 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shivers asked unanimous consent of the Senate to take up and consider House Bill No. 324, out of its order, at this time.

Which was agreed to.

H. B. No. 324—A bill to be entitled An Act to declare, establish and designate a certain State Road.

Was taken up.

Senator Shivers moved that the rules be waived and House Bill No. 324 be read the second time by title only.

Which was agreed to by a two-third vote.

And House Bill No. 324 was read the second time by title only.

Senator Shivers moved that the rules be further waived and House Bill No. 324 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 324 was read the third time in full.

Upon the passage of House Bill No. 324 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So House Bill No. 324 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shivers asked unanimous consent of the Senate to take up and consider House Bill No. 325, out of its order, at this time.

Which was agreed to.

H. B. No. 325—A bill to be entitled An Act redesignating and re-establishing former State Road Number 39.

Was taken up.

Senator Shivers moved that the rules be waived and House Bill No. 325 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 325 was read the second time by title only.

Senator Shivers moved that the rules be further waived and House Bill No. 325 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 325 was read the third time in full.

Upon the passage of House Bill No. 325 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So House Bill No. 325 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shivers asked unanimous consent of the Senate to take up and consider House Bill No. 16, out of its order, at this time.

Which was agreed to.

H. B. No. 16—A bill to be entitled An Act designating and establishing a certain road in Hamilton County, Florida, as a state road.

Was taken up.

Senator Shivers moved that the rules be waived and House Bill No. 16 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 16 was read the second time by title only.

Senator Shivers moved that the rules be further waived and House Bill No. 16 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 16 was read the third time in full.

Upon the passage of House Bill No. 16 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So House Bill No. 16 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shivers asked unanimous consent of the Senate to take up and consider House Bill No. 42, out of its order, at this time.

Which was agreed to.

H. B. No. 42—A bill to be entitled An Act to designate that part of State Road 11 between Bunnell and Flagler Beach, Florida, in Flagler County, as Moody Boulevard in memory of Honorable I. I. Moody, deceased.

Was taken up.

Senator Shivers moved that the rules be waived and House Bill No. 42 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 42 was read the second time by title only.

Senator Shivers moved that the rules be further waived and House Bill No. 42 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 42 was read the third time in full.

Upon the passage of House Bill No. 42 the roll was called and the vote was:

Yeas—38

Mr. President	Baynard	Carroll	Davis
Alford	Beacham	Clarke	Franklin
Ayers	Beall	Collins	Gautier
Baker	Boyle	Crary	Getzen

Johns	McArthur	Sanchez	Tucker
Johnston	Moore	Shands	Walker
King	Pearce	Sheldon	Wilson
Leaird	Pope	Shivers	Wright
Lindler	Ray	Smith	
Mathews	Rodgers	Sturgis	

Nays—None

So House Bill No. 42 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shivers asked unanimous consent of the Senate to take up and consider House Bill No. 89, out of its order, at this time.

Which was agreed to.

H. B. No. 89—A bill to be entitled An Act to declare, designate and establish a certain State Road in Indian River County, Florida.

Was taken up.

Senator Shivers moved that the rules be waived and House Bill No. 89 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 89 was read the second time by title only.

Senator Shivers moved that the rules be further waived and House Bill No. 89 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 89 was read the third time in full.

Upon the passage of House Bill No 89 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So House Bill No. 89 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shivers asked unanimous consent of the Senate to take up and consider House Bill No. 122, out of its order, at this time.

Which was agreed to.

H. B. No. 122—A bill to be entitled An Act to establish a certain State Road.

Was taken up.

Senator Shivers moved that the rules be waived and House Bill No. 122 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 122 was read the second time by title only.

Senator Shivers moved that the rules be further waived and House Bill No. 122 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 122 was read the third time in full.

Upon the passage of House Bill No. 122 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So House Bill No. 122 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shivers asked unanimous consent of the Senate to take up and consider House Bill No. 170, out of its order, at this time.

Which was agreed to.

H. B. No. 170—A bill to be entitled An Act designating and establishing a State road in Taylor County.

Was taken up.

Senator Shivers moved that the rules be waived and House Bill No. 170 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 170 was read the second time by title only.

Senator Shivers moved that the rules be further waived and House Bill No. 170 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 170 was read the third time in full.

Upon the passage of House Bill No. 170 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So House Bill No. 170 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shivers asked unanimous consent of the Senate to take up and consider House Bill No. 336, out of its order, at this time.

Which was agreed to.

H. B. No. 336—A bill to be entitled An Act declaring, designating and establishing certain state roads in Collier County, Florida.

Was taken up.

Senator Shivers moved that the rules be waived and House Bill No. 336 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 336 was read the second time by title only.

The Committee on Public Roads and Highways offered the following amendment to House Bill No. 336:

In Section 1, line 4 (typewritten bill), after the word "road" strike out the words "100 feet wide".

Senator Shivers moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Public Roads and Highways also offered the following amendment to House Bill No. 336:

In Section 1, line 4 (typewritten bill), after the word "A" strike out the word "paved".

Senator Shivers moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Shivers moved that the rules be further waived and House Bill No. 336, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 336, as amended, was read the third time in full.

Upon the passage of House Bill No. 336, as amended, the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So House Bill No. 336 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shivers asked unanimous consent of the Senate to take up and consider Senate Bill No. 305, out of its order, at this time.

Which was agreed to.

S. B. No. 305—A bill to be entitled An Act designating and establishing a state road in Dade County.

Was taken up.

Senator Shivers moved that the rules be waived and Senate Bill No. 305 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 305 was read the second time by title only.

Senator Shivers moved that the rules be further waived and Senate Bill No. 305 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 305 was read the third time in full.

Upon the passage of Senate Bill No. 305 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So Senate Bill No. 305 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shivers asked unanimous consent of the Senate to take up and consider Senate Bill No. 326, out of its order, at this time.

Which was agreed to.

S. B. No. 326—A bill to be entitled An Act designating and establishing a certain State Road in Highlands County.

Was taken up.

Senator Shivers moved that the rules be waived and Senate Bill No. 326 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 326 was read the second time by title only.

Senator Shivers moved that the rules be further waived and Senate Bill No. 326 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 326 was read the third time in full.

Upon the passage of Senate Bill No. 326 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So Senate Bill No. 326 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Getzen asked unanimous consent of the Senate to take up and consider House Bill No. 435 out of its order, at this time.

Which was agreed to.

H. B. No. 435—A bill to be entitled An Act to amend Sections 12, 14 and 26 of Chapter 21419 of the Acts of the Legislature of Florida for the year 1941 creating the municipality known as "City of New Port Richey, Florida" so as to authorize the City Council to create and establish a Municipal Court and to appoint a Municipal Judge who is not the Mayor; to authorize the City Council to employ a City Manager and providing for his duties; to provide for the qualification of the officers of said Municipality; to provide for the requirement of occupational licenses and the authority to set the amount thereof irrespective of the amount set for occupational licenses by the General Laws of Florida; to provide for the holding of examinations and licensing of plumbers, electricians, carpenters, and all other vocations, avocations or professions where the safety, health or welfare of the citizens might be affected; to authorize the City to carry on the conduct a library and providing for the appointment of a library board, setting and determining the authority thereof and the terms of office of such members; to authorize the expenditure of funds by the City Council for publicity, advertising and promotional purposes, and Providing for a Referendum.

Was taken up.

Senator Getzen moved that the rules be waived and House Bill No. 435 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 435 was read the second time by title only.

Senator Getzen moved that the rules be further waived and House Bill No. 435 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 435 was read the third time in full.

Upon the passage of House Bill No. 435 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So House Bill No. 435 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Tucker asked unanimous consent of the Senate to take up and consider Senate Bill No. 172 out of its order, at this time.

Which was agreed to.

S. B. No. 172—A bill to be entitled An Act to designate and establish a certain state road in Wakulla County, Florida, and providing that said designated road be given an appropriate state number.

Was taken up.

Senator Tucker moved that the rules be waived and Senate Bill No. 172 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 172 was read the second time by title only.

Senator Tucker moved that the rules be further waived and Senate Bill No. 172 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 172 was read the third time in full.

Upon the passage of Senate Bill No. 172 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So Senate Bill No. 172 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 2, 1949.

Hon. Newman C. Brackin,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Shepperd and Usina of St. Johns—

H. B. No. 630—A bill to be entitled An Act authorizing and empowering the City of St. Augustine, Florida, by and through its City Commission, by ordinance, to provide for the issuance of Certificates of Indebtedness in such amount as shall be deemed necessary by the said City Commission for the purpose of raising the funds necessary to repair, reconstruct, renew, improve, alter, rebuild and maintain municipal streets and sewers, and for repaving and resurfacing said municipal streets; authorizing and empowering the City Commission to call and hold a special election upon said proposition; providing that said ordinance shall not become effective until ratified by a majority vote of the qualified electors of said city voting at said special election; repealing all laws in conflict herewith; and prescribing time said Act shall take effect.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 630, contained in the above message, was read the first time by title only.

Senator Pope moved that the rules be waived and House Bill No. 630 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 630 was read the second time by title only.

Senator Pope moved that the rules be further waived and House Bill No. 630 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 630 was read the third time in full.

Upon the passage of House Bill No. 630 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leard	Shands	

Nays—None

So House Bill No. 630 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 2, 1949.

Hon. Newman C. Brackin,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Shepperd of St. Johns—

H. B. No. 650—A bill to be entitled An Act making an appropriation for payment of costs of the Interim Joint House-Senate Tax Survey Committee.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 650, contained in the above Message, was read the first time by title only.

Senator Sturgis moved that the rules be waived and House Bill No. 650 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 650 was read the second time by title only.

Senator Sturgis moved that the rules be further waived and House Bill No. 650 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 650 was read the third time in full.

Upon the passage of House Bill No. 650 the roll was called and the vote was:

Yeas—35

Mr. President	Clarke	King	Shands
Alford	Collins	Leard	Sheldon
Ayers	Crary	Lindler	Shivers
Baker	Davis	Mathews	Sturgis
Baynard	Franklin	Moore	Tucker
Beacham	Gautier	Pearce	Walker
Beall	Getzen	Pope	Wilson
Boyle	Johns	Ray	Wright
Carroll	Johnston	Rodgers	

Nays—None

So House Bill No. 650 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Sturgis moved that Senate Joint Resolution No. 407, previously referred to the Committee on Constitutional Amendments, be referred to the Committee on Constitutional Amendments and the Committee on Finance and Taxation, jointly.

Which was agreed to by a two-thirds vote and it was so ordered.

By unanimous consent Senator Sturgis withdrew Senate Bill No. 354.

UNFINISHED BUSINESS

Senate Bill No. 394 was taken up in its order pending roll call, and the consideration thereof was informally passed.

SENATE BILLS ON SECOND READING

Senate Bill No. 23 was taken up in its order and the consideration thereof was informally passed.

By unanimous consent Senator Baynard withdrew Senate Bill No. 57.

S. B. No. 183—A bill to be entitled An Act to amend Chapter 576, Florida Statutes, 1941, relating to the manufacture and sale of commercial fertilizer and repealing certain provisions of law.

Was taken up in its order.

Senator Alford moved that the rules be waived and Senate Bill No. 183 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 183 was read the second time by title only.

Senator Alford offered the following amendment to Senate Bill No. 183:

In Section 576.08 at the end of line 30 of the typewritten bill, page 17 (being the sixth line from the end of the page and the end of next to the last paragraph) strike out the period and insert in lieu thereof a semicolon and add the following: provided, that as to any individual sale by a dealer or agent of less than one ton of commercial fertilizer subject to penalties for deficiencies and such dealer or agent is unable to ascertain or determine the purchaser of such lot of ferti-

lizer of less than one ton, then and in such case the dealer or agent shall pay the proportionate amount of penalties on such sale of less than one ton to the Commissioner of Agriculture of Florida to be placed in the State Treasury to the credit of the General Inspection Fund.

Senator Alford moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Alford also offered the following amendment to Senate Bill No. 183:

At the end of Section 576.08 on page 18 of the typewritten bill, strike out the period and insert a semicolon and add the following: provided, that the buyer may waive his right to the statutory penalties herein provided and sue for damages claimed within six months from the time of the maturity of the crop on which the alleged damage occurred.

Senator Alford moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Alford moved that the rules be further waived and Senate Bill No. 183, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 183, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 183, as amended, the roll was called and the vote was:

Yeas—28

Alford	Crary	Lindler	Shands
Ayers	Davis	Mathews	Sheldon
Beacham	Gautier	McArthur	Shivers
Beall	Getzen	Pearce	Sturgis
Carroll	Johns	Pope	Walker
Clarke	King	Ray	Wilson
Collins	Leaird	Sanchez	Wright

Nays—7

Mr. President	Boyle	Johnston	Rodgers
Baynard	Franklin	Moore	

So Senate Bill No. 183 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk for engrossing.

Senator Lindler asked unanimous consent of the Senate to take up and consider House Bill No. 12, out of its order, at this time.

Which was agreed to.

H. B. No. 12—A bill to be entitled An Act relating to the fees and compensation of the County Judge for services performed in suits or proceedings and in criminal cases, before the County Judge's court in all counties of the State of Florida

Was taken up.

Senator Lindler moved that the rules be waived and House Bill No. 12 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 12 was read the second time by title only.

Senator Lindler offered the following amendment to House Bill No. 12:

In Section 5, line 3 (typewritten bill), after the words "Final Judgment" strike out the word "of".

Senator Lindler moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Lindler moved that the rules be further waived and House Bill No. 12, as amended, be read the third time in full

Which was agreed to by a two-thirds vote, and put upon its passage.

And House Bill No. 12, as amended, was read the third time in full.

Upon the passage of House Bill No. 12, as amended, the roll was called and the vote was:

Yeas—32

Mr. President	Clarke	King	Shands
Alford	Collins	Leaird	Sheldon
Ayers	Crary	Lindler	Shivers
Baker	Davis	Mathews	Sturgis
Beacham	Gautier	McArthur	Tucker
Beall	Getzen	Pearce	Walker
Boyle	Johns	Ray	Wilson
Carroll	Johnston	Rodgers	Wright

Nays—4

Baynard	Franklin	Moore	Pope
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So House Bill No. 12 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Lindler withdrew Senate Bill No. 10.

Senate Memorial No. 49:

A RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ADOPT HOUSE JOINT RESOLUTION 9, INTRODUCED BY HONORABLE CHARLES E. BENNETT OF FLORIDA, RESOLVING THAT CONGRESS SHALL PROPOSE AN AMENDMENT TO SECTION 3, ARTICLE III OF THE CONSTITUTION, ENLARGING THE DEFINITION OF TREASON AGAINST THE UNITED STATES.

WHEREAS, House Joint Resolution 9 was introduced in the 81st Congress on the first day of the session by Honorable Charles E. Bennett of Florida and is now pending; and,

WHEREAS, said Resolution proposes that Section 3, Article III of the Constitution of the United States, defining treason against the United States, be amended by enlarging the present definition of treason to include provisions applicable in peace as well as in war, as follows:

"Adhering to any group which advocates the overthrow by force or violence of the Government of the United States, or collaborating with any agent or adherent of a foreign nation in working for the overthrow or weakening of the Government of the United States, whether or not by force or violence."

THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA, THE HOUSE OF REPRESENTATIVES CONCURRING:

Section 1. That we respectfully Memorialize and Petition the Congress of the United States to propose an Amendment to Section 3, Article III, of the Constitution of the United States, enlarging the present definition of treason against the United States to include provisions applicable in peace as well as in war, in substantial conformity with House Joint Resolution 9 introduced by Honorable Charles E. Bennett of Florida

Section 2. That properly authenticated copies of this Resolution be sent forthwith by the Secretary of State of Florida to the President of the United States and to each of the United States Senators and Representatives in Congress from Florida

Was taken up in its order and read the second time in full.

The question was put on the adoption of the Memorial.

Which was agreed to.

And Senate Memorial No. 49 was adopted and the action of the Senate was ordered certified to the House of Representatives.

Senator Leaird moved that Senate Bill No. 404 be recalled from the Committee on Judiciary "A" and placed on the Calendar of Bills on Second Reading.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Leaird asked unanimous consent of the Senate to take up and consider Senate Bill No. 404 out of its order, at this time.

Which was agreed to.

S. B. No. 404—A bill to be entitled An Act establishing a Criminal Court of Record in Broward County, Florida, and providing for the officers thereof.

Was taken up.

Senator Leaird moved that the rules be waived and Senate Bill No. 404 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 404 was read the second time by title only.

Senator Leaird moved that the rules be further waived and Senate Bill No. 404 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 404 was read the third time in full.

Upon the passage of Senate Bill No. 404 the roll was called and the vote was:

Yeas—33

Alford	Collins	Leaird	Shivers
Ayers	Crary	Lindler	Sturgis
Baker	Davis	Moore	Tucker
Baynard	Franklin	Pearce	Walker
Beacham	Gautier	Pope	Wilson
Beall	Getzen	Ray	Wright
Boyle	Johns	Rodgers	
Carroll	Johnston	Shands	
Clarke	King	Sheldon	

Nays—None

So Senate Bill No. 404 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Leaird made the following statement in connection with the passage of Senate Bill No. 404:

"In compliance with the law, the Petition of 13,891 registered voters of Broward County petitioned for the creation of a Criminal Court of record in and for said County. The total official registration of Broward County is 26,807. Therefore, more than fifty percent of the voters have petitioned the Legislature for the creation of a Criminal Court of record."

The signed petition referred to in the statement by Senator Leaird was filed with the Secretary of the Senate on April 29, 1949, the date of introduction of Senate Bill No. 404.

Senate Bill No. 102 was taken up in its order and the consideration thereof was informally passed.

S. B. No. 148—A bill to be entitled An Act to amend Chapter 733, Florida Statutes of 1941, relating to the Florida Probate Law by adding thereto Section 733.54 authorizing any executor or administrator appointed by any county judge in the State of Florida to waive the Statute of Limitations with respect to any Federal Tax or deficiency in any Federal Tax with the approval of the county judge.

Was taken up in its order.

Senator Sturgis moved that the rules be waived and Senate Bill No. 148 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 148 was read the second time by title only.

Senator Sturgis moved that the rules be further waived and Senate Bill No. 148 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 148 was read the third time in full.

Upon the passage of Senate Bill No. 148 the roll was called and the vote was:

Yeas—31

Mr. President	Collins	Lindler	Shivers
Alford	Davis	Mathews	Smith
Baynard	Franklin	Moore	Sturgis
Beacham	Gautier	Pearce	Tucker
Beall	Getzen	Pope	Walker
Boyle	Johns	Ray	Wilson
Carroll	Johnston	Rodgers	Wright
Clarke	King	Sheldon	

Nays—None

So Senate Bill No. 148 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 157 was taken up in its order and the consideration thereof was informally passed.

S. B. No. 78—A bill to be entitled An Act to extend the time within which certain registrants who had commenced their preparation for the State Bar examination for admission to practice law before the adoption of amendment to Rule 1 by the Supreme Court on December 9, 1941, relative to admission of attorneys to the practice of law.

Was taken up in its order.

Senator Sheldon moved that the rules be waived and Senate Bill No. 78 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 78 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 78 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 78 was read the third time in full.

Upon the passage of Senate Bill No. 78 the roll was called and the vote was:

Yeas—12

Alford	Johns	Pearce	Sheldon
Ayers	Leaird	Pope	Smith
Crary	Mathews	Ray	Tucker

Nays—24

Mr. President	Clarke	Johnston	Shands
Baker	Collins	King	Shivers
Baynard	Davis	Lindler	Sturgis
Beacham	Franklin	McArthur	Walker
Boyle	Gautier	Moore	Wilson
Carroll	Getzen	Rodgers	Wright

So Senate Bill No. 78 failed to pass.

S. B. No. 97—A bill to be entitled An Act to amend Section 655.01, 1947 Supplement, Florida Statutes, 1941, relating to trust company organization, by providing the capital stock shall be divided into shares of one hundred dollars or into shares of lesser amount as may be provided in the articles of incorporation.

Was taken up in its order.

Senator Clarke moved that the rules be waived and Senate Bill No. 97 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 97 was read the second time by title only.

Senator Clarke moved that the rules be further waived and Senate Bill No. 97 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 97 was read the third time in full.

Upon the passage of Senate Bill No. 97 the roll was called and the vote was:

Yeas—37

Mr. President	Collins	Lindler	Shivers
Alford	Crary	Mathews	Smith
Ayers	Davis	McArthur	Sturgis
Baker	Franklin	Moore	Tucker
Baynard	Gautier	Pearce	Walker
Beacham	Getzen	Pope	Wilson
Beall	Johns	Ray	Wright
Boyle	Johnston	Rodgers	
Carroll	King	Shands	
Clarke	Leaird	Sheldon	

Nays—None

So Senate Bill No. 97 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 98—A bill to be entitled An Act amending Section 726.09, Florida Statutes, 1941, relating to fraudulent loans void and extending the provisions thereof to the legal representatives, successors or assigns of the pretended lender or other person having the benefit of the reservation, limitation, condition, reversion or remainder set out in Section 726.09 by reason of assignment or otherwise.

Was taken up in its order.

Senator Clarke moved that the rules be waived and Senate Bill No. 98 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 98 was read the second time by title only.

Senator Clarke moved that the rules be further waived and Senate Bill No. 98 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 98 was read the third time in full.

Upon the passage of Senate Bill No. 98 the roll was called and the vote was:

Yeas—35

Mr. President	Clarke	King	Sheldon
Alford	Collins	Lindler	Shivers
Ayers	Crary	McArthur	Smith
Baker	Davis	Moore	Sturgis
Baynard	Franklin	Pearce	Tucker
Beacham	Gautier	Pope	Walker
Beall	Getzen	Ray	Wilson
Boyle	Johns	Rodgers	Wright
Carroll	Johnston	Shands	

Nays—None

So Senate Bill No. 98 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 99—A bill to be entitled An Act providing for the permissive closing of banking institutions under certain circumstances.

Was taken up in its order.

Senator Clarke moved that the rules be waived and Senate Bill No. 99 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 99 was read the second time by title only.

Senator Clarke moved that the rules be further waived and Senate Bill No. 99 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 99 was read the third time in full.

Upon the passage of Senate Bill No. 99 the roll was called and the vote was:

Yeas—34

Mr. President	Clarke	Leaird	Sheldon
Alford	Collins	Lindler	Smith
Ayers	Crary	McArthur	Sturgis
Baker	Davis	Moore	Tucker
Baynard	Franklin	Pearce	Walker
Beacham	Gautier	Pope	Wilson
Beall	Getzen	Ray	Wright
Boyle	Johns	Rodgers	
Carroll	Johnston	Shands	

Nays—None

So Senate Bill No. 99 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 43—A bill to be entitled An Act to amend Section 1 of Chapter 20846, Acts of 1941, Laws of Florida, which is Paragraph 1 of Section 697.04, Florida Statutes 1941, said section and paragraph relating to mortgages or other instruments securing agricultural loans, and to the securing of future advances by such mortgages and other instruments; and to provide generally, by such amendment, for the securing of future advances by mortgages or other instruments given to secure any loan, whether an agricultural loan or a loan for other purposes; providing for the priority of such mortgages or other instruments; and providing when this Act shall become effective.

Was taken up in its order.

Senator Beall moved that the rules be waived and Senate Bill No. 43 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 43 was read the second time by title only.

Senator Beall offered the following amendment to Senate Bill No. 43:

In Section 1, line 24 following the words and figures "Disbursements" strike out the period, insert a comma and add the following: "As well as attorney's fees in case of collection by or through an attorney. (Period)"

Senator Beall moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Beall moved that the rules be further waived and Senate Bill No. 43, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 43, as amended, was read the third time in full.

Pending roll call on the passage of Senate Bill No. 43, as amended, Senator Beall moved that the rules be waived and the further consideration thereof be informally passed.

Which was agreed to by a two-thirds vote and it was so ordered.

Senate Bills Nos. 114, 113, 116, 117 and 151 were taken up in their order and the consideration thereof was informally passed.

Senator McArthur moved that when the Senate adjourns at the morning Session tomorrow, May 4, 1949, it recess to reconvene at 3:00 o'clock P. M., tomorrow afternoon and remain in session until 5:00 o'clock P. M.

Which was agreed to and it was so ordered.

Senator McArthur asked unanimous consent of the Senate to take up and consider Senate Bill No. 281, out of its order, at this time.

Which was agreed to.

S. B. No. 281—A bill to be entitled An Act to require inclusion on the General Election ballot of 1950 for ratification or rejection the question of participation of the United States in a World Federal Government capable of preventing war.

Was taken up.

Senator McArthur moved that the rules be waived and Senate Bill No. 281 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 281 was read the second time by title only.

Senator McArthur moved that the rules be further waived and Senate Bill No. 281 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 281 was read the third time in full.

Upon the passage of Senate Bill No. 281 the roll was called and the vote was:

Yeas—35

Mr. President	Clarke	King	Shands
Alford	Collins	Lindler	Sheldon
Ayers	Crary	McArthur	Shivers
Baker	Davis	Moore	Sturgis
Baynard	Franklin	Pearce	Tucker
Beacham	Gautier	Pope	Walker
Beall	Getzen	Ray	Wilson
Boyle	Johns	Rodgers	Wright
Carroll	Johnston	Sanchez	

Nays—None

So Senate Bill No. 281 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator McArthur asked unanimous consent of the Senate to take up and consider Senate Memorial No. 282, out of its order at this time.

Which was agreed to.

Senate Memorial No. 282:

A MEMORIAL TO THE CONGRESS OF THE UNITED STATES TO CONVENE A CONSTITUTIONAL CONVENTION AS PROVIDED BY ARTICLE V OF THE CONSTITUTION OF THE UNITED STATES, FOR THE PURPOSE OF DETERMINING THE ADOPTION OF AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES WHEREBY THE UNITED STATES CAN PARTICIPATE IN A LIMITED WORLD FEDERAL GOVERNMENT TO BE CREATED BY AMENDMENT TO THE UNITED NATIONS CHARTER, OR BY A WORLD CONSTITUTIONAL CONVENTION, WITH AUTHORITY TO ENACT, INTERPRET AND ENFORCE LAWS TO PREVENT WARS.

WHEREAS, war is now a threat to the very existence of our civilization, because modern science has produced weapons of war which are overwhelmingly destructive and against which there is no sure defense; and

WHEREAS, the effective maintenance of world peace is the proper concern and responsibility of every American citizen; and

WHEREAS, the people of the State of Florida, while now enjoying domestic peace and security under the laws of their local, state and federal government, deeply desire the guarantee of world peace; and

WHEREAS, all history shows that peace is the product of law and order, and that law and order are the product of government; and

WHEREAS, the United Nations, as presently constituted, although accomplishing great good in many fields, lacks authority to enact, interpret or enforce world law, and under its present charter is incapable of restraining any major nations which may foster or foment war; and

WHEREAS, the charter of the United Nations expressly provides in Articles 108 and 109, a procedure for reviewing and altering the charter; and

WHEREAS, the necessity for endowing the United Nations with limited powers rendering it capable of enacting, interpreting or enforcing world law adequate to prevent war has

been recognized by the Florida State Legislature through the passage of House Concurrent Resolution No. 10, 1945; and

WHEREAS, many other states have memorialized Congress through resolutions by their state legislatures or in referenda by their voters, to initiate steps toward the creation of a world federal government; and

WHEREAS, several nations have recently adopted constitutional provisions to facilitate their entry into a world federal government by authorizing a delegation to such a world federal government of a portion of their sovereignty sufficient to endow it with powers adequate to prevent war.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That application is hereby made to the Congress of the United States, pursuant to Article V of the Constitution of the United States, to call a convention for the sole purpose of proposing amendment to the Constitution to expedite and insure the participation of the United States in a world federal government, open to all nations, with powers which, while defined and limited, shall be adequate to preserve peace, whether the proposed Charter or Constitution of such world federal government be presented in the form of amendments to the Charter of the United Nations, or by a world constitutional convention.

RESOLVED, That the Secretary of State of the State of Florida is hereby directed to transmit copies of this application to the Senate and the House of Representatives of the Congress, to the members of the said Senate and House of Representatives from this State, and to the presiding officers of each of the legislatures in the several states, requesting their cooperation.

BE IT FURTHER RESOLVED, that certified copies of the foregoing preamble and memorial be immediately forwarded by the Secretary of State of the State of Florida, under the GREAT SEAL, to the President of the United States, the President of the Senate of the United States, and Speaker of the House of Representatives of the United States.

Was taken up and read the second time in full.

The question was put on the adoption of the Memorial.

Which was agreed to.

And Senate Memorial No. 282 was adopted and the action of the Senate was ordered certified to the House of Representatives.

Senator McArthur moved that the Senate proceed to the consideration of Executive Business.

Which was agreed to.

And the Senate went into Executive Session at 12:57 o'clock P. M.

The Senate emerged from Executive Session at 1:15 o'clock P. M., and resumed its session.

The roll was called and the following Senators answered to their names:

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Yeas—38

A quorum present.

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 1:16 o'clock P. M., until 11:00 o'clock A. M., Wednesday, May 4, 1949.

EXECUTIVE SESSION ANNOUNCEMENTS

The Senate in Executive Session on May 3, 1949, advised

and consented to the following appointments made by the Governor:

J. Frank Adams, Blountstown, Assistant State Attorney for the Fourteenth Judicial Circuit, for a term ending July 31, 1951.

Fred Maddox, Port St Joe, Pilot Commissioner in and for the Port of Port St. Joe, for a term ending December 6, 1951.

Edward A. Strunk, Key West, Commissioner of the Everglades Fire Control District in and for Monroe County, for a term ending August 7, 1951.

Mrs. Isabel Fleming, Key West, Member of the Board of Commissioners, Overseas Road and Toll Bridge District, for a term ending July 7, 1953.

William Arnold, Key West, Member of the Board of Commissioners, Overseas Road and Toll Bridge District, for a term ending July 6, 1953.

Sam E. Harris, Key West, Member of the Board of Commissioners, Overseas Road and Toll Bridge District, for a term ending July 6, 1953.

Keller Watson, Key West, Harbor Master in and for the Port of Key West, for a term ending February 7, 1950.

Carl Floyd, Haines City, Member of the State Advertising Commission, First Congressional District, for a term ending August 1, 1951.

Glenn Marshall, Jacksonville, Member of the State Advertising Commission, Second Congressional District, for a term ending August 1, 1951.

John D. Montgomery, Miami Beach, Member of the State Advertising Commission, Fourth Congressional District, for a term ending August 1, 1952.

W. E. Holler, Mount Dora, Member of the State Advertising Commission, Fifth Congressional District, for a term ending August 1, 1949.

R. V. Roberts, Fort Lauderdale, Member of the State Advertising Commission, Sixth Congressional District, for a term ending August 17, 1949.

The Senate in Executive Session on May 3, 1949, upon recommendation of the Governor, removed A. D. Smith from the office of Constable, District No. 4, Seminole County, Florida.